

EXHIBIT A

FIRST AMENDMENT TO
FIRST AMENDED JOINT STIPULATION OF SETTLEMENT AND RELEASE

This FIRST AMENDMENT TO FIRST AMENDED JOINT STIPULATION OF SETTLEMENT AND RELEASE (the “First Amendment”) is made June 12, 2019 between Plaintiff Aaron Smith and Defendants Silverstar Delivery, Ltd., Amazon.com, LLC, and Amazon.com Services, Inc. (collectively, “Parties”), pursuant to Section 3.15(I) of the First Amended Joint Stipulation of Settlement and Release (“Agreement”) (Dkt. No. 44-1).

RECITALS

WHEREAS, on or around June 7, 2019, the Parties executed the Agreement;

WHEREAS, the Parties wish to alter the timeframes for distribution of payments under the Agreement;

NOW, THEREFORE, in consideration of the covenants and agreements set forth herein, the Parties agree as follows:

AMENDMENT

1. Section 3.1(E) of the Agreement is stricken, and is replaced with the following language:
 - (E) Within ninety (90) calendar days following the Order Granting Approval, the Claims Administrator will make the following distributions of money from the Escrow Account:
 - (1) Paying Class Counsel Court-approved attorneys’ fees, reasonable costs and expenses, as approved by the Court and as described in Section 3.2, which shall not exceed \$50,000 of the Maximum Settlement Amount, subject to Court approval;
 - (2) provided that, in no event will the Claims Administrator pay Class Counsel as described in this Section, 3.1(E) of the Agreement, until after it has paid Plaintiff and the Claimants, as described in Section 3.1(F) of this Agreement.
2. Section 3.1(F) of the Agreement is stricken, and is replaced with the following language:

(F) Within ninety (90) calendar days following the Order Granting Approval, the Claims Administrator will make the following distributions of money from the Escrow Account:

- (1) Paying Service Awards in the amounts described in Section 3.3, subject to Court approval and provided the recipients have executed their respective releases pursuant to Section 3.8.
- (2) Paying Claimants their Final Individual Settlement Amounts as described in Section 3.6.

3. This First Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

PLAINTIFF:

DATED: June 12, 2019

DICELLO LEVITT GUTZLER LCC

By: s/ Laura E. Reasons
On behalf of Aaron Smith
Attorneys for Plaintiff and Claimants

DEFENDANTS:

DATED: June 12, 2019

HOWARD & HOWARD ATTORNEYS

By: s/ Daniel L. Villaire (w/ Permission)
On Behalf of Silverstar, LTD
Attorneys for Silverstar, LTD

MORGAN, LEWIS & BOCKIUS LLP

DATED: June 12, 2019

By: s/ Stephanie L. Sweitzer (w/ Permission)
On Behalf of Amazon.com LLC and
Amazon.com Services, Inc.
Attorneys for Amazon.com LLC, and Amazon.com Services, Inc.